

REMARKS

Claims 1-32 are currently pending in this application.

In a January 11, 2005 Final Office Action, the Examiner rejected claims 1-32. In particular, the Examiner rejected claims 1-27 and 29-32 under 35 U.S.C. § 102(e) as being anticipated by United States Published Patent Application Serial Number 10/171,755 ("Weinstein") (publication number US 2003/0231138 A1). The Examiner rejected claim 28 under 35 U.S.C. § 103(a) as being unpatentable and obvious over Weinstein in view of United States Patent 6,421,013 ("Chung"). The applicants respectfully traverse the rejections as outlined below.

In the previous amendment, the Examiner rejected the applicants' arguments that Weinstein was distinguishable because Weinstein disclosed an antenna that was omni-directional at a first frequency but directional at a second frequency. In particular, the Examiner pointed out "in Applicant's claim 1, it only discloses an antenna system radiates in an omni directional pattern for all frequency bands." The applicants have amended claims 1, 25, and 27 to recite a combination of elements including, for example, "the plurality of radiating elements producing at least a first omni directional radiation pattern at a first operating frequency and a second omni directional radiation pattern at a second operating frequency; . . . and a ground coupled to the at least one power dissipation element, such that the at least one power dissipation element reduces an impact of the power feed on the first omni directional radiation pattern and the second omni directional radiation pattern", to clarify the distinction between Weinstein and the present claims.

Rejection of claims 1-27 and 29-32 under 35 U.S.C. § 102(e)

The Examiner rejected claims 1-27 and 29-32 under 35 U.S.C. § 102(e) as being anticipated by Weinstein. The applicants respectfully traverse this rejection. In particular, amended claim 1 recites a combination of elements including, for example, "the plurality of radiating elements producing at least a first omni directional radiation pattern at a first operating frequency and a second omni directional radiation pattern at

a second operating frequency; . . . and a ground coupled to the at least one power dissipation element, such that the at least one power dissipation element reduces an impact of the power feed on the first omni directional radiation pattern and the second omni directional radiation pattern,” which is not disclosed or suggested by Weinstein. Rather, Weinstein discloses a multi-band antenna where “the antenna system radiates in a directional pattern at the upper frequency and in an omnidirectional pattern at the lower frequency.” (Weinstein at paragraph [0030], lines 7-10 (emphasis added)). Weinstein is not an omni directional antenna at both operating frequencies, but rather an omni directional/directional hybrid antenna. Because Weinstein is not an omni directional antenna as recited by claim 1, it cannot anticipate claim 1. The other references of record do not cure the defect of Weinstein. Thus, claim 1 is patentably distinct from Weinstein either alone or in any reasonable combination with the references of record. The applicants respectfully request the withdrawal of the pending rejection and allowance of claim 1.

Claims 15 and 27 contain limitations similar to claim 1 and, at least by virtue of the similarity, are patentably distinct from Weinstein. Thus, the applicants respectfully request the withdrawal of the rejections and allowance of the pending claims.

Claims 2-14, 16-26, and 29-32 depend directly or indirectly from claims 1, 15, and 27 and, at least by virtue of the dependency, are patentably distinct from Weinstein. Thus, the applicants respectfully request the withdrawal of the rejections and allowance of the pending claims.

Rejection of claim 28 under 35 U.S.C. § 103(a)

The Examiner rejected claim 28 under 35 U.S.C. § 103(a) as being unpatentable and obvious over Weinstein in view of Chung. In particular, the Examiner indicated Weinstein disclosed all the limitations of claim 28 except for the flexible substrate. The Examiner relied on Chung for the disclosure of the flexible substrate. But Chung does not cure the defect of Weinstein noted above. As claim 28 depends from claim 27, claim 28 is allowable over the combination of Weinstein and Chung for the reasons

identified above. The applicants respectfully request the withdrawal of the pending rejection and allowance of the claim 28.

For all the forgoing reasons, the applicants respectfully submit that claims 1-32 are presently in condition for allowance, which allowance is respectfully requested.

The applicants respectfully request that the Examiner consider this Amendment and Response. The applicant submits that the pending claims are presently in condition for allowance and that no new matter has been introduced by this response. The applicant believes that the proposed response does not raise new issues or necessitate the undertaking of any additional search of art by the Examiner, because all of the elements were either earlier claimed or inherent in the claims as examined. Therefore, the amendment should allow for immediate action by the Examiner. Alternatively, the Applicants believe that entry of the response would place the application in better form for appeal, should the Examiner dispute the patentability of the claims.

No fee is believed due for entry of this paper. If an extension of time under 35 C.F.R. § 1.136 is required to obtain entry of this Amendment, such an extension is requested. If there are fees due under 37 U.S.C. §§ 1.16 or 1.17 which are not otherwise accounted for, please charge our Deposit Account No. 08-2623.

Respectfully submitted this 15th day of February, 2004.



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